



UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 19 2002

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 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/971,980	04/2001	David B. Weiner	UPN-4105 (M2351)

PATENT & TRADEMARK OFFICE

Woodcock Washburn LLP
 One Liberty Place - 46th Floor
 Philadelphia, PA 19103

CONFIRMATION NO. 4113

FORMALITIES LETTER



OC00000007074947

Date Mailed: 11/15/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

10/26/2002 BALRANSA1 00000083 09971980

65.00 DP

10-73-305

Effective OCTOBER 1, 2001, Patent Fees will be adjusted. Please note that fee amounts required by the enclosed Notice might reflect the fees due on the date of filing. Any fee paid on or after OCTOBER 1, 2001 is subject to the new FY 2002 fee schedule and must be paid in the new amount.

FEB 19 2002 EXAMPLES OF FEES BEING ADJUSTED
See www.uspto.gov for complete FY 2001
and FY-2002 Fee Schedules

* Indicates fees remain at FY 2001 amount

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DESCRIPTION	FY 2001	FY 2002
Basic filing fee - Utility	\$710	\$740
Basic filing fee - Utility (Small Entity)	\$355	\$370
Independent claims in excess of three	\$80	\$84
Independent claims in excess of three (Small Entity)	\$40	\$42
Claims in excess of twenty	\$18	\$18*
Claims in excess of twenty (Small Entity)	\$9	\$9*
Multiple dependent claim	\$270	\$280
Multiple dependent claim (Small Entity)	\$135	\$140
Surcharge - Late filing fee	\$130	\$130*
Surcharge - Late filing fee (Small Entity)	\$65	\$65*
Design filing fee	\$320	\$330
Design filing fee (Small Entity)	\$160	\$165
Plant filing fee	\$490	\$510
Plant filing fee (Small Entity)	\$245	\$255
Reissue filing fee	\$710	\$740
Reissue filing fee (Small Entity)	\$355	\$370
Reissue independent claims	\$80	\$84
Reissue independent claims (Small Entity)	\$40	\$42
Reissue claims in excess of twenty	\$18	\$18*
Reissue claims in excess of twenty (Small Entity)	\$9	\$9*
Provisional application filing fee	\$150	160
Provisional application filing fee (Small Entity)	\$75	80
Surcharge - Late provisional filing fee	\$50	\$50*
Surcharge - Late provisional filing fee (Small Entity)	\$25	\$25*
Non-English Specification	\$130	\$130*
Extension - First month	\$110	\$110*
Extension - First month (Small Entity)	\$55	\$55*
Extension - Second month	\$390	\$400
Extension - Second month (Small Entity)	\$195	\$200
Extension - Third month	\$890	\$920
Extension - Third month (Small Entity)	\$445	\$460
Extension - Fourth month	\$1,390	\$1,440
Extension - Fourth month (Small Entity)	\$695	\$720
Extension - Fifth month	\$1,890	\$1,960
Extension - Fifth month (Small Entity)	\$945	\$980
Petition	\$130	\$130*
Processing returned checks	\$50	\$50*

For further fee information, please call
(703-308-HELP)

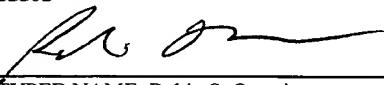
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Weiner et al

Serial No.: 09/971,980**Filing Date:** October 4, 2001**For:** COMPOSITIONS AND METHODS OF USING CAPSID PROTEIN FROM
FLAVIRUSES AND PESTIVIRUSES**Group Art Unit:****Customer No.:****Confirmation No.:** 4113**DATE OF DEPOSIT:**

I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID
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TYPED NAME: Robin S. Quartin
REGISTRATION NO.: 45,028

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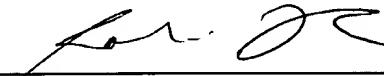
**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE
WITH 37 CFR §§ 1.821 THROUGH 1.825**

- I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively are the same.
- I hereby state that the submission filed in accordance with 37 CFR §1.821(g) does not include new matter.
- I hereby state that the submission filed in accordance with 37 CFR §1.821(h) does not include new matter or go beyond the disclosure in the international application as filed.
- I hereby state that the amendments, made in accordance with 37 CFR §1.825(a), included in the substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages _____. I hereby state that the substitute sheet(s) of the Sequence Listing does (do) not include new matter.

I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(b), is the same as the amended Sequence Listing.

I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(d), contains identical data to that originally filed.

Date: *February 11, 2002*

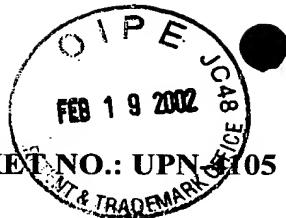


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DOCKET NO.: UPN 4105



9 Sector
Box 5105
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Weiner et al

Serial No.: 09/971,980

Filing Date: October 4, 2001

For: COMPOSITIONS AND METHODS OF USING CAPSID PROTEIN FROM
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Robin S. Quartin
TYPED NAME: Robin S. Quartin
REGISTRATION NO.: 45,028

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Arlington, Virginia 22202

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND
REQUEST FOR EXTENSION OF TIME**

In response to the "Notice to File Missing Parts of Application--Filing Date Granted"
dated November 15, 2001, to which a response with a request for extension is due February 15,
2002, enclosed herewith for filing is:

Declarations and Powers of Attorney

- A Combined Declaration and Power of Attorney, executed by the inventor(s). An unexecuted copy of this document, attached to the above-identified specification, was filed by Express Mail No. EL884785903US on October 4, 2001.
- A Combined Declaration and Power of Attorney, executed by the inventor(s) and identifying fewer/more inventors than those identified in the unexecuted declaration filed with the above-identified application specification on @@,

via by Express Mail No. @@. Such deletion/addition of inventors is specifically provided for in 37 CFR Sec. 1.48.

- A copy of the original Declaration and Power of Attorney, executed by the inventor(s) as filed in parent application serial no. _____.
- A copy of the Power of Attorney with revocation filed on _____.
- A Combined Power of Attorney with Revocation and Statement Under 3.73(b)
- An associate power of attorney executed by Robin S. Quartin who is listed on the original declaration/power of attorney.

Drawings

- _____ Sheets of Substitute drawings comprising Figures _____ in compliance with 37 C.F.R. 1.84.

Sequence Listing (Note - All items listed below are required if Sequence Listing is also being filed with Missing Parts)

- Paper copy of Sequence Listing
- Diskette containing Sequence Listing in computer readable form
- Amendment directing entry of sequence listing in specification
- Statement to Support Filing of Sequence listing

Claim for Small Entity Status

- Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
 - an Independent Inventor
 - a Small Business Concern
 - a Nonprofit Organization

Miscellaneous Items

A copy of the Notice to File Missing Parts.

Request for Corrected Filing Receipt.

Request for Refund Due to Small Entity Status

Request for Refund Due to Fee Calculation Error

A substitute specification in compliance with 37 C.F.R. 1.52.

Other: _____

Fee Calculation and Extension of Time

Request is hereby made under 37 CFR 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application due January 15, 2002 to and through February 15, 2002, comprising an extension of the shortened period of one month:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	Fee	RATE	Fee
MISSING PARTS SURCHARGE	\$65	\$65.00	\$130	\$
<input checked="" type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$55.00	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$200	\$	\$400	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$460	\$	\$720	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$720	\$	\$1440	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$980	\$	\$1960	\$
TOTAL FEE DUE		\$120.00		

Applicant(s) has/have not been notified that the requested extension will not be permitted. The present application is not involved in an interference declared pursuant to 37 CFR 1.207.

A check in the total amount due of \$120.00 is attached to cover the surcharge and any requested extension of time. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$@@.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

Any additional filing fees required under 37 CFR 1.16 including fees for presentation of extra claims.

Any additional patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

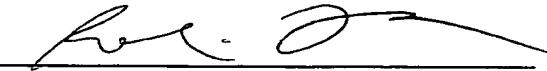
Any patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).

The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).

Any filing fees under 37 CFR 1.16 including fees for presentation of extra claims.

This sheet is attached in duplicate.

Date: *February 11, 2002*



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